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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,605	12/11/2003	Gary M. Johnson	2008.007900/03-0478	8519
23720	7590	01/19/2006	EXAMINER	
WILLIAMS, MORGAN & AMERSON 10333 RICHMOND, SUITE 1100 HOUSTON, TX 77042			LE, DINH THANH	
			ART UNIT	PAPER NUMBER
			2816	

DATE MAILED: 01/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

Office Action Summary	Application No.	Applicant(s)	
	10/733,605	JOHNSON, GARY M.	
	Examiner	Art Unit	
	DINH T. LE	2816	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 25-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 25-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

FINAL REJECTION

The rejection over over Bhullar et al (US 6,327,318), Shieh et al (US 6,323,705) and Fujii et al (US 6,700,434) are withdrawn in view of the amendments to the claims.

Specification

Claim Rejections - 35 USC § 112

Claims 1-10 and 25-44 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Correction or clarification is required.

In claims 5, 29 and 37, the description is incomplete because the first inverter, the transistor sets and the second inverter are not connected to anything. Thus, the claimed fine delay unit may not perform the recited function.

In claims 1, 25 and 35, it is not understood how the recitation “delay circuit for switching an activation of a capacitance delay using a switch” and how the recitation “switch” is read on the preferred embodiment. Insofar as understood, no such switch is seen on the drawings.

The remaining claims are dependent from the above claims and therefore also considered indefinite.

Claim Rejections

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 9-10, 35-36 and 43-44 are rejected under 35 USC 102 (b) as being anticipated by Lee (US 6,483,359).

Lee discloses in Figures 3-7 a DLL circuit used in a memory device (SRAM, lines 10-23, column 1) comprising:

- a phase detector (320) for comparing an reference clock signal (EXT_CLK) and a feedback signal;
- a coarse delay circuit (340) for switching an activation of a capacitive delay using switches (345-347, Figure 4);
- a fine delay (360); and
- a feedback delay unit (310).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 25-28 and 33-34 are rejected under 35 USC 103 (a) as being unpatentable over Manning (US5,831,929) in view of Lee (US 6,483,359).

Manning discloses in Figure 1 a memory device comprising:

- a first device comprising a memory (44) and a DLL (62); and
- a second device (46) coupled to the first device.

However, Manning does not disclose that the DLL circuit comprising delay circuit as recited in claim 1.

Nevertheless, Lee suggests in Figures 5-7 a DLL circuit as stated above for providing a finer adjustability that would reduce jitter, see lines 5-9, column 1.

It would have been obvious to a person having skill in the art at the time the invention was made to employ the DLL circuit of Lee in the circuit of Manning for the purpose of providing a finer adjustability that would reduce jitter.

With regard to claim 27, the recitation “the system board is a motherboard of a computer system” is shown in Figure 10 of Manning

Response to Applicant's Arguments

The applicant disagrees that the first inverter, transistor set and second transistor set are not properly connected because they are the part of the fine delay circuit. The argument is not persuasive because these components are not connected to anything within the delay circuit as recited in claim 5 so they may not perform their function.

The applicant's arguments over Buhllar, Fujii et al and Shieh et al are persuasive without traverse.

Allowable Subject Matter

Claims 5-8, 29-32 and 37-42 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

The claims are allowed because the prior art does not suggest the delay circuit comprising the inverters and the transistor sets as combined in the claims.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DINH T. LE whose telephone number is (571) 272-1745. The examiner can normally be reached on Monday-Friday (8AM-7PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TIMOTHY CALLAHAN can be reached at (571) 272-1740.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



DINH LE

Primary Examiner

17 January 2006